

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF DELAWARE**

IN RE:

LEAR CAPITAL, INC.,¹

Debtor.

Chapter 11 (Subchapter V)

Case No. 22-10165 (BLS)

Re: D.I. 655

**DECLARATION OF KEVIN DEMERITT IN SUPPORT OF CONFIRMATION OF
SMALL BUSINESS DEBTOR PLAN OF REORGANIZATION**

I, Kevin DeMeritt, being duly sworn, depose and say:

1. I am over the age of 18 and am authorized to submit this Declaration on behalf of Lear Capital, Inc., the debtor herein (the “Debtor”). If called upon to testify, I could and would testify competently to the facts set forth herein.

2. I am the sole shareholder of the Debtor, that filed a voluntary petition under Chapter 11, Subchapter V of title 11 of the United States Code on March 2, 2022.

3. I make this Declaration in support of confirmation of the Debtor’s Small Business Debtor Plan of Reorganization [Docket No. 655] (as amended, modified, or supplemented, the “Plan”).

4. Based upon the amounts required to satisfy the Debtor’s obligations under the Plan, the amount of Cash on hand, and the Insider Contribution,² the Debtor will have sufficient funds to satisfy all of its obligations under the Plan on or prior to the Effective Date.

5. Specifically, I have committed to fund up to \$5.5 million of my personal funds to the Plan to the extent necessary to fund all distributions under the Plan.

¹ The last four digits of the Debtor’s federal tax identification number are 7197. The Debtor’s address is 1990 S. Bundy Drive, Suite 600, Los Angeles CA 90025.

² Capitalized terms not otherwise defined herein shall have the meaning set forth in the Plan.

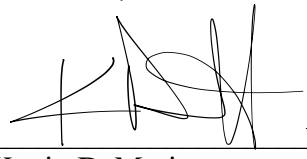
6. I am ready, willing, and able to contribute up to \$5.5 million to the Estate to fund the Plan as necessary. Before the Effective Date, I will transfer the monies necessary to fund distributions under the Plan to the Debtor's debtor in possession account, or some other account as necessary in order to facilitate the distributions to be made in accordance with the Plan.

7. Attached hereto as Exhibit 1 is a letter from my bank, Banc of California, indicating that the balance in my personal bank account on May 31, 2023 was \$3,956,531.61.

8. I believe that such sum, coupled with the Cash that the Debtor should have available on the Effective Date, will be sufficient to fund all distributions required under the Plan.

The facts set forth above are true and correct to the best of my knowledge, information and belief. Pursuant to section 1746 of title 28 of the United States Code, I declare under penalty of perjury that the foregoing is true and correct.

DATED: June 5, 2023.



Kevin DeMeritt